

VG-1443-2021-2102070

Freestone
County
Linda Jarvis
Freestone County
Clerk

Instrument Number: 2102070

Foreclosure Posting

NOTICE OF FORECLOSURE

Recorded On: June 10, 2021 11:47 AM

Number of Pages: 6

" Examined and Charged as Follows: "

Total Recording: \$8.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2102070
Receipt Number: 20210610000007
Recorded Date/Time: June 10, 2021 11:47 AM
User: Sabra S
Station: Clerk Station

Record and Return To:

ABSTRACT/TRUSTEES OF TEXAS
PO BOX 9932

AUSTIN TX 78766



STATE OF TEXAS
COUNTY OF FREESTONE

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Freestone County, Texas.

Linda Jarvis
Freestone County Clerk
Freestone County, TX

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD, THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

NOTICE OF SALE BY SUBSTITUTE TRUSTEE

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FREESTONE

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Note: Retail Installment Contract dated March 28, 1998 executed and delivered by Sharon Lopes and Rural Lopes to Jim Walter Homes, Inc.

Security Instrument: Mechanic's Lien Contract with Power of Sale, dated March 28, 1998, executed and delivered by Sharon Lopes and Rural Lopes to Jim Walter Homes, Inc., to secure payment of that certain Retail Installment Contract, recorded in Volume 1041, Page 004, in Freestone County, Texas.

Original Creditor: Jim Walter Homes, Inc.

Current Holder: U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee, for Mid-State Trust VII

Current Owner: U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee, for Mid-State Trust VII

Mortgage Servicer: New Rez LLC d/b/a Shellpoint Mortgage Servicing ("Servicer"), 75 Beattie Pl. #300, Greenville, SC 29601

Appointed Substitute Trustees: JIM MILLS, SUSAN MILLS, RUSSELL SLATON, GEORGE HAWTHORNE, KORY MORGAN, DENISE MORGAN, LORI GARNER, ED HENDERSON

Note: Each substitute trustee is authorized individually, to act alone without the joinder of the other trustees.

AND
 MOLLIE MCCOSLIN, LORI GARNER, ROBERT LAMONT, SHERYL LAMONT, HARRIETT FLETCHER, ALLAN JOHNSTON, SHARON ST. PIERRE, RONNIE HUBBARD
 MOLLIE MCCOSLIN, LORI GARNER, ROBERT LAMONT, SHERYL LAMONT, HARRIETT FLETCHER, ALLAN JOHNSTON, SHARON ST. PIERRE, RONNIE HUBBARD

The Substitute Trustees are authorized to sell the Premises at public venue to the highest bidder or

PROPERTY ADDRESS: 1351 FM 80 N Streetman, TX 75859	RP FILE NO. SHELL02-139	BORROWER: Lopes, Sharon & Rural
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bidders, for cash. f

SERVICE LINK, 3220 EL CAMINO REAL, IRVINE, CA 92602

AND

SHARON ST. PIERRE, RONNIE HUBBARD, ALLAN JOHNSTON, SHERYL LAMONT, ROBERT LAMONT, AURORA CAMPOS, JONATHAN HARRISON, RAMIRO CUEVAS, PATRICK ZWIERS AUCTION.COM, 1 MAUCHLY, IRVINE, CA 92618

AND

RANDY DANIEL OR CINDY DANIEL OR JIM O'BRYANT XOME, 750 TX-121, SUITE 100, LEWISVILLE, TX 75067

AND

MOLLIE MCCOSLIN, LORI GARNER, ROBERT LAMONT, SHERYL LAMONT, HARRIETT FLETCHER, ALLAN JOHNSTON, SHARON ST. PIERRE, RONNIE HUBBARD COVIS REALTY BID, 3225 RAINBOW DRIVE, SUITE 248-B, RAINBOW CITY, AL 35906

AND

T. J. RINEY, H. HOOPER, S.G. HARVEY, B.K. PACKARD, M. SANTOYO 5420 LBJ FREEWAY, SUITE 220, DALLAS, TX 75225

Property to be sold:

1351 FM 80 N, Streetman, TX 75859, and as further described in Exhibit A attached hereto, along with the improvements on such real property and any after acquired permanent improvements or title to such improvements and/or real property (the "Premises" as described in §9.604 of the Texas Uniform Commercial Code).

Date of Sale:

Tuesday, July 6, 2021.

Time of Sale:

The sale will begin no earlier than **11:00 am** and no later than three (3) hours thereafter.

Location of Sale:

At the **County Courthouse in Freestone County**, Texas, on the front steps at the South entrance of the courthouse, unless the location of the sale has been otherwise designated to a specific location by the Commissioner's Court of Freestone County, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.

Terms of Sale:

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Mechanic's Lien Contract with Power of Sale permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the Mechanic's Lien Contract with Power of Sale at the time of sale.

PROPERTY ADDRESS: 1351 FM 80 N Streetman, TX 75859	RP FILE NO. SHELL02-139	BORROWER: Lopes, Sharon & Rural
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Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the Security Instrument, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Security Instrument. The sale shall not cover any part of the property that has been released of public record from the lien of the Security Instrument. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Security Instrument, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (if any) provided for under the Mechanic's Lien Contract with Power of Sale. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

Type of Sale:

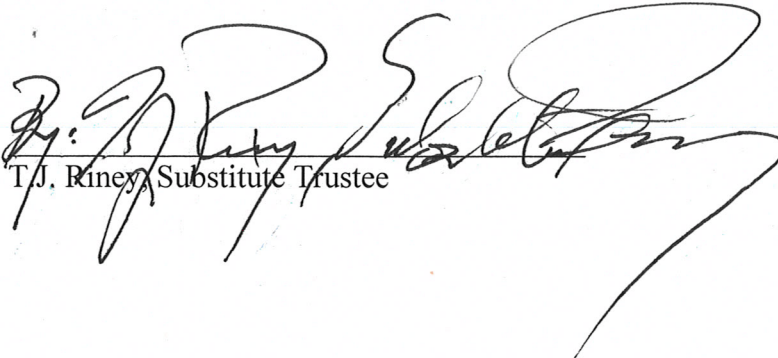
The sale is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument executed by Sharon Lopes and Rural Lopes.

Default and Notice:

Default has been made in payment of the Note and Security Instrument and the Note is now unpaid, delinquent and in default. All required notices have been given to Sharon Lopes and Rural Lopes and any and all other necessary parties with regard to the defaulted indebtedness. Servicer has requested the undersigned, substitute trustee, to post, file and give notice of foreclosure of the Security Instrument and the lien thereof in accordance with applicable Texas law and the terms and provisions of the Security Instrument.

PROPERTY ADDRESS: 1351 FM 80 N Streetman, TX 75859	RP FILE NO. SHELL02-139	BORROWER: Lopes, Sharon & Rural
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Dated: May 7, 2021.


T.J. Riney, Substitute Trustee

AFTER RECORDING, PLEASE RETURN TO:

Riney Packard, PLLC
Attn: T.J. Riney
Two Lincoln Centre
5420 LBJ Freeway, Suite 220
Dallas, Texas 75240

PROPERTY ADDRESS: 1351 FM 80 N Streetman, TX 75859	RP FILE NO. SHELL02-139	BORROWER: Lopes, Sharon & Rural
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EXHIBIT "A"

BEING OUT OF THE JEREMIAH MATTHEWS SURVEY, ABSTRACT 418 AND ALSO OUT OF A CALLED 61 ACRE TRACT FROM W.H. NICHOLSON AND WIFE LIZZIE MAE NICHOLSON TO BETTY ELMA GILBERT LOPES, RECORDED IN VOLUME 415, PAGE 74 OF THE DEED RECORDS OF FREESTONE COUNTY, TEXAS AND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A CONCRETE HIGHWAY MARKER IN THE WEST RIGHT-OF-WAY LINE OF F.M. HIGHWAY 80 AT STATE HIGHWAY STATION 213 + 59.3:

THENCE NORTH 33 DEGREES 06 MINUTES 00 SECONDS WEST WITH THE WEST RIGHT-OF-WAY LINE OF SAID HIGHWAY 80, A DISTANCE OF 326.50 FEET TO A 3/8 INCH IRON ROD SET FOR CORNER:

THENCE SOUTH 61 DEGREES 06 MINUTES 00 SECONDS WEST, LEAVING SAID HIGHWAY 80, A DISTANCE OF 353.00 FEET TO A 3/8 INCH IRON ROD SET FOR CORNER:

THENCE SOUTH 13 DEGREES 12 MINUTES 00 SECONDS EAST, A DISTANCE OF 456.40 FEET TO A 3/8 INCH IRON ROD SET FOR CORNER:

THENCE NORTH 73 DEGREES 46 MINUTES 24 SECONDS EAST, A DISTANCE OF 516.13 FEET TO A 3/8 INCH IRON ROD SET IN A NON-TANGENT CURVE TO THE LEFT IN THE WEST RIGHT-OF-WAY LINE OF SAID HIGHWAY 80, SAID CURVE HAVING A RADIUS OF 1909.86 FEET:

A
THENCE ALONG SAID CURVE A DISTANCE OF 227.14 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.00 ACRES OF LAND MORE OR LESS.

PROPERTY ADDRESS: 1351 FM 80 N Streetman, TX 75859	RP FILE NO. SHELL02-139	BORROWER: Lopes, Sharon & Rural
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